



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION IX

75 Hawthorne Street
San Francisco, CA 94105-3901

JUL 31 2013

Shelley Kanemoto
Tom Petrus & Miller, LLC
1164 Bishop Street
Suite 650
Honolulu, HI 96813,

Re: Response to Freedom of Information Act Request EPA-R9-2013-006032

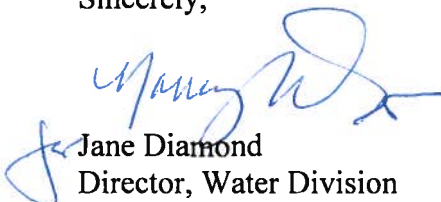
Dear Ms. Kanemoto:

This letter is in response to your Freedom of Information Act (FOIA) request regarding Kaelepulu Pond/Stream, Enchanted Lake, and Kawainui Marsh. This is a follow-up to the response sent to you previously on June 27, 2013. In a telephone conversation on July 18, 2013 with Richard Campbell of EPA's Office of Regional Counsel (ORC), you agreed to an extended deadline for providing all remaining documents responsive to this FOIA request. Enclosed you will find copies of the remaining documents responsive to your request. Also enclosed is the privilege log, which identifies all documents withheld from our response pursuant to applicable FOIA exemptions, which are set forth in 40 CFR § 2.105. An itemized list of the withheld material along with the basis for withholding is provided in the enclosure to this letter.

You may appeal this partial denial to the National Freedom of Information Officer, U.S. EPA, FOIA and Privacy Branch, 1200 Pennsylvania Avenue, N.W. (2822T), Washington, DC 20460 (U.S. Postal Service Only), FAX: (202) 566-2147, E-mail: hq.foia@epa.gov. Only items mailed through the United States Postal Service may be delivered to 1200 Pennsylvania Avenue, NW. If you are submitting your appeal via hand delivery, courier service or overnight delivery, you must address your correspondence to 1301 Constitution Avenue, N.W., Room 6416J, Washington, DC 20004. Your appeal must be made in writing, and it must be submitted no later than 30 calendar days from the date of this letter. The Agency will not consider appeals received after the 30 calendar day limit. The appeal may include as much or as little related information as you wish, as long as it clearly identifies the determination being appealed (including the assigned FOIA request number - EPA-R9-2013-006032). For quickest possible handling, the appeal letter and its envelope should be marked "Freedom of Information Act Appeal."

Please contact Richard Campbell, in ORC, at 415-972-3870 or campbell.rich@epa.gov, or Sara Roser, of my staff, at 415-972-3513 or roser.sara@epa.gov, should you have any questions concerning this matter.

Sincerely,



Jane Diamond
Director, Water Division

Enclosures